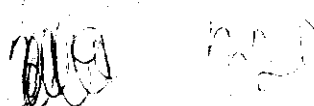


THIS CASE ORIGINATED AT

Director;

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Oklahoma City	DATE WHEN MADE: Dec. 26, 25	PERIOD FOR WHICH MADE: Dec. 1 to 6th & Dec. 9th to 24th	REPORT MADE BY: T. F. Weiss.								
TITLE AND CHARACTER OF CASE: W. E. (BILL) SMITH, et als. Murder of : Osage County											
FACTS DEVELOPED: at Tulsa and Pawhuska, Okla. (C. C. #7060.)											
Continuing, and supplementing previous reports, entitled as above.											
RE: ANNA BROWN MURDER:											
Agent is informed by GRACE BIGHEART, xxx -half-sister of ANNA BROWN, at Pawhuska, that about a year ago ERNEST BURKHART and wife, the latter a sister of ANNA BROWN, had JOE BIGHEART (son of GRACE BIGHEART) and his wife, BERTHA, adopt the youngest child of ERNEST xxx -BURKHART, said child being a baby girl, now fifteen months old, and named ANNA, after ANNA BROWN, murdered.											
GRACE BIGHEART states that since said adoption JOE BIGHEART has died, and said BURKHART child has inherited half his estate (worth about \$75,000.00); that BERTHA and JOE BIGHEART have no other children, so that said child now stands to also inherit half of BERTHA BIGHEART'S estate at her death, said estate being worth about \$150,000.00.											
MRS. JOHN BIGHEART, daughter-in-law of											
GRACE BIGHEART, informs Agent that											
MRS. WILL KESTER, living between Wynona and Hominy told MRS. JOHN BIGHEART that the rumor now at Fairfax											
REFERENCE:		DO NOT WRITE IN THESE SPACES									
COPIES OF THIS REPORT FURNISHED TO:		<table border="1"> <tr> <td>FILE NO. 62-5033-55</td> <td>JAN 11 1924</td> </tr> <tr> <td>BUREAU OF INVESTIGATION DEC 29 1923</td> <td>JAN 3 1924</td> </tr> <tr> <td>DEPARTMENT OF JUSTICE</td> <td>DIVISION</td> </tr> <tr> <td>ROUTED TO: HOOVER</td> <td>FILE</td> </tr> </table>		FILE NO. 62-5033-55	JAN 11 1924	BUREAU OF INVESTIGATION DEC 29 1923	JAN 3 1924	DEPARTMENT OF JUSTICE	DIVISION	ROUTED TO: HOOVER	FILE
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3 Washington; 3 file; x 1 Kansas City.											

1-4-24


is that the PAUL-BURKHARTS are intending to make away with MRS. JED BIGEARD and her parents next so that said adopted child shall inherit the whole of BERTHA BIGEARD'S estate. BERTHA BIGEARD lives at Pawhuska, Okla.

This information is reported to show the character of the PAUL-BURKHARTS plans and actions towards getting possession of Osage Indian wealth.

Dec. 3d had further conference with confidential informant, whom we had working under cover for previous eight days. He reports he was unable to secure the reports made by Foster M. Burns Detective Agency for the BURKHARTS in July, 1921 re. ANNIE BROWN murder, and that Burns states said reports were destroyed, along with other dead files.

Informant, at Agent's direction, called on MRS. EDITH BAXTER DAVIS, 43 N. Yorktown St., Tulsa, under suitable pretext, and states that he is positive EDITH DAVIS is the woman he has heretofore described as red-headed, 40 years, well built, 140 lbs., good looking etc.

Informant states that on his visit to EDITH DAVIS Nov. 28, 1928 he and she discussed the ANNA BROWN murder again, and the facts of BRYANT BURKHART introducing informant to her at Burbank in July, 1921 (or June) and the statements she then made to informant.

Informant states that on this latest visit EDITH DAVIS admitted to all of said facts, but was plainly unwilling to discuss the case; that she did say, however, that LEE MORGAN ran the roadhouse two miles east of Burbank and PAUL JOHNS ran the roadhouse two miles east and one mile north of Burbank the night of the ANNIE BROWN murder. (This positively determines that we now have to locate said LEE MORGAN and PAUL JOHNS to prove, with others, that BRYANT BURKHART and ANNA BROWN left said roadhouses together

in a Buick car about 1:30 A. M. May 22, 1931 (Sunday) and that EDITH DAVIS and J. L. BRIDGES were in the BRYAN BURKHART - ANNA BROWN party that night, and all drinking whiskey.)

Informant states that he asked EDITH DAVIS pointblank the name of the man with whom she rode following the BRYAN BURKHART - ANNA BROWN car that night, and that EDITH DAVIS refused to tell informant who this man was.

Informant states that he talked to BRYAN BURKHART'S uncle, who was said to have been of the party the night of the murder, and is positive it was J. L. BRIDGES and not H. M. BRIDGES; that he, informant, never heard of H. M. BRIDGES before.

Agent directs attention to statement made to Agent by EDITH DAVIS, reported by Agent in September, 1933 wherein EDITH DAVIS claimed she did not know BRYAN BURKHART at all. EDITH DAVIS was undoubtedly lying to Agent at that time, and is plainly friendly to the BURKHARTS. She could be hired to swear to practically anything for a few hundred dollars.

Informant also worked under cover for us at Fairfax for a day and reports that he talked to both ERNEST and BRYAN BURKHART on Dec. 2, 1933; that both seemed to have no suspicion of him, but were very uncommunicative; that he learned from them that they know the case is being investigated and are very much worried. Also that it is highly probable that BRYAN BURKHART will skip the country.

Informant states he has a man who is a very close companion to BRYAN BURKHART, and that his man is in a position to, and will get the names of witnesses and the facts of the murder from BRYAN BURKHART and also keep posted on BURKHART'S plans; that this man thinks informant is working a line and will keep informant posted;

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advised. Informant in turn has promised to turn all this secured to us at once.

This informant at Fairfax will also probably be able to get a lot of evidence re. HENRY ROAN and W. E. SMITH murders.

Dec. 11th interviewed MERTHA UPRIGHT DOTY, who lives five miles west and one south of Quay, Okla. to get further information if possible from her.

Agent found her to be a rather dull country, ignorant girl, only eighteen years old now. She kept answering "I don't remember" to nearly all questions, and added nothing to her statements as previously reported, except that she had worked for ERNEST BURKHART but four days in all, and was sixteen years old at the time, and never went back there after she left the evening (of May 21, 1921) at about 9 P. M.

MERTHA UPRIGHT DOTY, however, seemed to want to be square, but she will need some memory refreshing from her statements made at the time, as her memory is poor, and she is very indifferent. She states that no one has talked to her about the case for over two years, and that none of the BURKHARTS or FLEES ever talked to her about it. Her husband is LOUIS DOTY, a farmer.

Dec. 12th interviewed BILL RICKER, Sheriff, and GEO. FOSTER, Undersheriff, at Perry, Okla. and MR. ODEN, Postmaster and cafe owners at Three Sands, and Postmaster and JOHN CARSON, Deputy Sheriff and W. CARSON, rural carrier at Marland, Okla. all in an effort to locate LEE MORGAN and wife said to be at Three Sands, but found no trace of them. Arranged with parties named to inquire and advise Agent if anything were learned.

Dec. 13th inquired at Ponca, Okla. of SAM TURN, Chief of Po-

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lice and MR. HODGE, Deputy Sheriff, who are acquainted around Tonkawa but got no information as to LEE MORGAN or PAUL JOHNS whereabouts. TULK states there is an old Federal warrant - 1921 - out for LEE MORGAN, charging possession of whiskey in Indian country. They have promised to look out for MORGAN and PAUL JOHNS for us.

Dec. 14th. Learned from confidential source at Wynona that MRS. ROSE MORGAN, wife of LEE MORGAN, is running a joint one-half mile west and one-fourth mile north of Three Sands, but that she has very little if any knowledge of LEE MORGAN'S whereabouts, but she will be interviewed.

ROY BUNCH is said to have been lodged in Federal jail at Enid Okla. about Dec. 11th to serve a Federal sentence on a whiskey charge.

BILL BRYANT, U. S. Deputy Marshal, states that ROY BUNCH told him that SAM TULK and BOB PARMER followed HENRY ROAN out of Fairfax the night ROAN was last seen alive (about Jan. 26, 1923) and that he, BUNCH, can give the names of witnesses who saw TULK and PARMER still following ROAN that night near the place where ROAN'S car and body were found later (about Feb. 6, 1923.)

Agent knows that SAM TULK arrested BUNCH and HENRY ROAN several times on whiskey charges, and suspects there is little truth in this statement by BUNCH to BILL BRYANT, but will interview BUNCH and investigate his statements.

Dec. 16th. Interviewed JOHN BIGHEART who stated that BILL and RITA SMITH told him at Colorado Springs that MOLLIE MERCER had seen a big car, with two spare tires, standing near the spot where ANNIE BROWN'S body was later found.

MRS. JOHN BIGHEART stated to Agent that the SMITHS also stated that it was about daylight that MOLLIE MERCER saw this car.

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Also interviewed ---- LUNTZ, terrance man of Pawhuska, who was reported to have seen a Buick touring car, vacant, standing at the side of the road between Fairfax and Palston, just after dark May 21, 1921 and that there was a shoe in said car at the time, etc

Agent found LUNTZ unsatisfactory in his talk. LUNTZ stated positively he had not stopped to look into said car, and saw no shoes in it, and saw no one around, etc. He gave no new information and changed his story as to time, etc. and talked loosely, but did state positively that he saw a Buick touring car standing vacant at the side of the road, about 9 PM between Palston and Fairfax about two miles east of Palston.

On Dec. 17th Agents interviewed FRED BULE and his wife, NORA BULE, at Bartlesville. They live with MRS. BULE'S mother, a MRS. BROOKSHIRE, in a green house, two and one-half blocks north of the big brick schoolhouse in the west part of town, and west side of street, and get their mail at General Delivery.

MRS. BROOKSHIRE is the mother-in-law and NORA BULE the sister-in-law of ~~NETTIE~~ BROOKSHIRE killed with W. E. SMITH and wife.

MARTHA UPRIGHT DOTY was living with FRED BULE and wife for three or four months before and after she, MARTHA, worked as a domestic at ERNEST BURKHART'S home, from May 17 to 21, 1921.

FRED BULE stated to us today that on Saturday night (May 21, 1921) he and his wife drove in his Ford coupe from his home, about four miles northeast of Grayhorse to ERNEST BURKHART'S home in Grayhorse to get MARTHA and take her with them to a dance, as his wife had been at ERNEST BURKHART'S that afternoon and had promised MARTHA they would come and take her to the dance.

FRED BULE stated further that he and his wife arrived at the ERNEST BURKHART home before dark - between sundown and dark; that

When they left BURKHART'S home to go on to the dance it was dark enough that he turned on his auto lights when he started; that he FRED BUME, stayed out in his car while his wife, NORA, went into the house to get MARTHA; that while so waiting the tall BURKHART (BRYAN) brought MARTHA'S suitcase out to the car, put it in the back end and went back into the house, and he, BUME, did not see BRYAN again.

BUME stated further that he thinks he saw a car leaving the ERNEST BURKHART home while he, BUME, was so waiting, but could not say who was in it; that BRYAN BURKHART might have been in it, after he went back into the house; that a Buick touring car was standing at ERNEST BURKHART'S place that evening, and did not leave while he, BUME, was there; that there was no other car at ERNEST BURKHART'S at that time that he, BUME, saw.

BUME stated that he knew the BURKHARTS well by sight, but not by their first names; but that the one who brought the suitcase out was the tall one, who wore a white hat; that he, BUME, saw no other man at BURKHART'S that night.

MRS. NORA (FRED) BUME stated that on that Saturday (May 21, 1921) she stopped at ERNEST BURKHART'S on her way back from town to visit MARTHA UPRIGHT (now DOTY); that she, NORA, went into the house and talked with MARTHA. MRS. ERNEST BURKHART, the BURKHARTS aunt (whose name she did not learn, but who was a big white woman from Texas).

That she, NORA, saw ANNA BROWN drinking in the summer-house there, by herself; that ANNA had a bottle of whiskey partly full, and invited NORA to drink, saying that she, ANNA, had to drink it all before she got back to Fairfax or SAM TULL would get her

NORA BUME stated further that while on this afternoon visit there were no men folks at the BURKHART home when she arrived, and the woman stated the boys, ERNEST and BRYAN, had gone to the horse races at Fairfax; that the people at home were LIZZIE CUM, sick bed, MOLLIE BURKHART, MARTHA and the BURKHART MEN'S aunt and some children, and ANNA BROWN.

That later, while she, NORA, was still there, BRYAN BURKHART came back from the races in a Ford touring car, between 4 and 5 PM. His said aunt and a child or two were then taken away in said Ford by BRYAN BURKHART; that the aunt said she was going back to Tex

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MRS. BUME stated that ERNEST BURKHART positively had not returned from the horse races at Fairfax when she left his home that evening to go home and do her chores; that she thinks it was about 5 PM, between 4 and 5 PM when she left the BURKHART home that p. m.

MRS. BUME states that the BURKHART'S aunt was ~~xxxx~~ making many disparaging remarks about Indians that afternoon and that MOLLIE and ANNA had quarreled bitterly.

MRS. BUME states that she and her husband drove in their Ford coupe to ERNEST BURKHART'S home that night or evening, arriving there just before dusk to get MARTHA and take her to a dance; that MRS. BUME, went into the house and waited some time, ten minutes or so, for MARTHA to get ready; that she, MRS. BUME, saw BRYAN BURKHART at the house at that time, and heard him talking to

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some man in another room, but did not learn who this other man was, but supposed it was ERNEST; that when they drove up to BURKHARTS that night, a Buick touring car was sitting at the house; that she did not see ANNA BROWN on this occasion, nor hear a word about her.

MRS. BULE stated also that MARTHA remarked that she was going to leave the BURKHARTS, as they were all drinking; that when she and MARTHA got in the BULE Ford coupe to leave for the dance, BRYAN BURKHART brought MARTHA'S suit case out, put it in the Ford, and said good bye to MARTHA; that she, MRS. BULE, did not see any car leave BURKHART'S, and that the Buick was still standing there when she and her husband and MARTHA left.

MRS. BULE stated also that MARTHA never returned to BURKHARTS to work, but that on the following Monday (May 23, 1921) MRS. BULE and MARTHA drove back to BURKHARTS and got some clothes MARTHA had left there; that they did not see ANNA BROWN on this occasion.

MRS. BULE stated also that on the following Thursday (May 21, 1921) she and MARTHA, on their way to Fairfax, passed close to where ANNA'S body was found the next day and she, MRS. BULE, perceived a very bad smell, and saw a Ford touring car standing off the road, headed northwest and within fifty feet of where ANNA'S body was found; that she, MRS. BULE, remarked to MARTHA: "By God, somebody is dead in that car". MRS. BULE states that she did not notice the license number or other distinguishing marks on that Ford, and has no idea whose car it was.

MRS. BULE states that she knows the BURKHARTS well, and went to school with HORACE alias DUKE BURKHART. She also expressed an opinion that the same person who killed ANNA BROWN instigated

or blew up the SMITH home, and killed W. B. SMITH, his wife and HARRIE BROCKMIRE, sister-in-law to MRS. BULE.

MRS. BULE and her husband both declared positively that they had never been questioned or talked to by any of the BURKHARDS, HALE or any one for them.

It will be noted that MRS. BULE and her husband make statements that not only contradict MARTHA UPRIGHT DOTY, but also JOE McGUIRE, FRED WHEELER and J. R. HEDGES, ED HAINEY and confidential informant in very material respects.

MRS. BULE is of a very low family and she, herself, is immoral and loose to the limit, and unreliable. Her husband is also of ~~low~~ ^{poor} character, but seemed to desire to be truthful. He had comparatively little information, and repeatedly corrected his wife during her statements in a way that showed she was giving hearsay and surmise as being of her own personal knowledge.

MRS. BULE displayed a strong ill-will to MARTHA and insinuated that MARTHA was untruthful and somewhat infatuated with BRYAN BURKHART, but it will be noted that MARTHA has told a consistent story throughout, during her various interviews, since the murder occurred.

After interviewing MR. & MRS. BULE, JOHN J. MORAN informs Agent that he, MORAN, interviewed MRS. BULE twice in the past, and that BILL BRICHETT also interviewed her a number of times and that today is the first time that she ever stated that there were any men at the BURKHART home on that Saturday afternoon or night, while she was there.

That, to the contrary, MRS. BULE has heretofore always stated that none of the BURKHARDS, or other men, were at BRYAN'S home that day at all while she, MRS. BULE, was there, and that MRS. BULE'S statements in the past have always been corroborative, and

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not contradictory of MARTHA'S statement.

MR. MORAN further states that today is the first time anyone has claimed that BRYAN BURBART was at ERNEST'S that night and carried MARTHA'S suitcase out to the BUICK car.

Dec. 20th. JAY MERCER, husband of MOLLIE MERCER, stated to Agent that he is of the present belief that MOLLIE was in St. Louis Mo. the night of May 21, 1921 but returned to Fairfax a few days ~~in~~ later

MERCER states that MOLLIE was called as a witness at the inquest of ANNA BROWN'S murder and testified as to something pertinent that RED HINCLE had told her. MERCER stated he could not recall what this was HINCLE had told MOLLIE, but that HINCLE lives at Grayhorse, northeast of the schoolhouse - MOLLIE was out of town and could not be interviewed.

We made investigation at Ralston and find that one can drive south at the west side of that town a few blocks then east seven or eight blocks, then north a few blocks, and there strike the Ralston-Fairfax road at the east side of Ralston.

This is mentioned as it shows how easily BRYAN BURBART and ANNA BROWN could have driven west from Jones Hotel that evening and yet have been two miles east of Ralston at 9 PM where LUNN saw the Buick car parked at the side of the road, and thus harmonize the statements of JOE McGUIRE, J. R. HEDGES, et als. and MR. LUNN.

Dec. 19th also learned that MR. TURDIN, Undertaker at Fairfax was the man who prepared ANNA BROWN'S body for burial.

MR. TURDIN states that on May 27, 1921 ANDY SMITH and SMITH'S boy, and brother-in-law came to TURDIN at Fairfax and informed TURDIN that they had found a dead Indian woman at the head of 2 1/2 mile creek, about three miles from Fairfax; that TURDIN got BOB

ANNIE and some others had went to the place and found ANNIE BROWN'S body; that the body was badly decomposed and swollen to an enormous size and almost to bursting.

That the body was dressed, except that she had on no shoes, but did have on a blue or dark broadcloth skirt, and white under-skirt; that a shawl, evidently hers, was lying some feet up the bank

That the position of the body and clothes indicated beyond a doubt that she had been sitting down and shot right where she was found, as her clothes were nicely arranged under her, and not mussed up.

MR. TURPIN stated further that he personally arranged and helped get her body to the top of the bank, about seventy-five feet from where she was found, and put the body in a box with ice and salt and froze it that night so that it could be handled; that lying beside her was a round, quart bottle containing about an inch of a clear liquid that from its smell was undoubtedly corn whiskey (BOB CARTER states positively that ANNIE BROWN had a round quart bottle of whiskey with her when he drove her out to ERNEST BURKHART'S at Grayhorse, the morning of May 21, 1921 and offered him a drink.)

MR. TURPIN states that on Saturday May 28, 1921 DR. J. G. SPOON and D. A. SPOON performed a post mortem on the body, at the spot where it was frozen, and discovered a small bullet hole in the back of the head; that DR. D. A. SPOON sawed the head in two and J. G. and D. A. SPOON then took out the brains and searched for the bullet by taking a stick and spreading the brains on a board, but that no bullet was found; that the bullet hole was slightly to the ~~xxxxx~~ left of the middle of the head.

MR. TURPIN preserved the left side of the skull and still has it, and has promised to keep it in his safe.

We examined this left side of the skull, and find that the

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bullet entered about half an inch to the left of the middle of the head, and about half way between the top and base of the brain cavity, and is of smaller size than a .58 calibre and larger than a .25, evidently a .52 calibre. The hole is clean cut on outside, and slightly chipped on lower inside. By inserting a pencil the direction plainly shows the direction of the bullet was slightly from the right to the left, and downward also slightly. No hole exists in any other part of the skull where the bullet could have lodged, imbedded or emerged. Evidently the bullet lodged in the brain and was lost; the brain was not preserved.

DR. J. G. SHOWE corroborated MR. TURBIN'S account of the time, place and manner of this crude autopsy and stated that it was very possible that the bullet was in the brain, but lost or not found in the examination, as the work was hastily and crudely done, and the brain not preserved, as it was so badly decomposed.

Dec. 25d. Have received no word from confidential informant as to what his informant may have learned, but have written our man today.

Have also learned that one MR. SCHEMMS, who lived about two miles east of where ANNA BROWN'S body was found, has recently moved to Wichita, Kans. where he has a son, ED SCHEMMS, and a married daughter, MRS. CARRY WHITE, whose husband is ED WHITE, a real estate man.

MR. SCHEMMS, Senior, is reported on reliable authority to have stated that he has valuable evidence, but does not want to divulge it except before a Grand Jury or some reliable officer of the law.

AS MR. SCHEMMS lived where he could easily have come into possession of valuable evidence, and has now moved away, he will probably be more free to talk, and will be interviewed.

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RE: HENRY ROAN:

Dec. 20th. We are informed by MR. BRYANT that ROAN is now serving a Federal term on a whiskey charge in the Dist. Jail and that BUNCH told MR. BRYANT that he, BUNCH, saw SAM TULL and BOB PIERCE, officers, following HENRY ROAN the day ROAN was last seen alive, (Jan. 25th or 26, 1923) and that he, BUNCH, has the names of, and knows other witnesses who saw said officers following ROAN that same night near the place where ROAN'S body was found ten days later.

Agents do not place much faith in this statement by BUNCH as he was a persistent bootlegger at Fairfax and repeatedly arrested as such by SAM TULL, and bears TULL and PIERCE a grudge. But BUNCH will be interviewed fully, as he is strongly suspected by some of being, himself, implicated in ROAN'S murder, and married ROAN'S widow within a few weeks after ROAN'S death.

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Mr. H. W. COLE ✓

Dec. 10th. Interviewed H. W. COLE, 608 Cleveland Ave., Cushing, Okla. H. W. COLE is the father of MERTIE BROOKSHIRE, killed in the SMITH explosion. All that MR. COLE knew was that he had heard that his son-in-law, JOHN BROOKSHIRE, husband of said MERTIE, was said to have had a new car shortly after the explosion and that said JOHN BROOKSHIRE lives at Bartlesville, Okla.

MR. COLE stated that another son-in-law, GEORGE BARLOW, lives at Perry, Okla. and knew something about the case.

Dec. 12th interviewed said GEORGE BARLOW at Perry, but found he knew nothing of value.

W. F. Davis

Dec. 1 20 1948

RE: MURDER OF CLAY WHITNEORN

On Dec. 6th interviewed ANNA RIDDLE HANCOX again and questioned her closely in reference to the statements made by FRANCIS BURDETTE, ED SNYDER and A. H. WIDDOWS as heretofore reported.

ANNA RIDDLE HANCOX reiterated her former statement to Agent and added that HENRY HUNT, an Osage Indian, was with her that night that LOUIS COPPERFIELD was drunk at FRANCIS' house, and that HENRY HUNT now lives with ANNA HANCOX at Hominy and will corroborate her statement.

ANNA RIDDLE HANCOX further stated that MRS. COPPERFIELD did not live close to the RIDDLE house at that time and she, ANNA, barely knew MRS. COPPERFIELD, and did not see her at all that night; that LOUIS COPPERFIELD is now married to a white girl at Hominy, Okla.; that she, ANNA, lives part of the time with her cousin, CLYDE HANFIELD, at Pawnee, Okla.

From ANNA RIDDLE HANCOX'S attitude, demeanor and conduct, Agent is convinced that her statements on this case are true, and that FRANCIS BURDETTE, ED SNYDER and A. H. WIDDOWS statements are false, and that LOUIS COPPERFIELD had nothing to do with the murder of CLAY WHITNEORN.

ROY LOCKLIN is said to be now employed by the Texas Co. at West Tulsa, Okla.

Dec. 20th. During past ten days have been checking up some information with no tangible results until today when A. W. COOPER stated that on this date MRS. J. J. FULLER came to him from Okla. City and stated that MRS. FULLER is at a hospital in Okla. City and so far gone with tuberculosis (Agent has information syphilis) that she cannot live over thirty days, and that

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HATTIE wants to make a confession before she dies, provided she is assured immunity; that MR. FAULKNER intimates that MATH. SMITHERMAN (now HATTIE SMITHERMAN) has confessed that she knows who murdered CHARLEY WHITBORN but that she, HATTIE, took no part in the murder; that HATTIE implicates MINNIE SAVAGE, EARL SAVAGE and ROY SMITHERMAN.

MRS. FAULKNER desired that MR. COMSTOCK see HATTIE on the 21st but this was impossible and we arranged to get this confession from HATTIE at the hospital at Okla. City on the morning of the 22d (Agent has known of J. J. FAULKNER and his wife for three or four years, and knows them to be of the lowest characters, so that this proposed confession will have to be closely analyzed and verified, as the FAULKNERS undoubtedly have some ulterior motive, probably to get the reward, and revenge on ROY SMITHERMAN.

Dec. 22d at Okla. City. Learned that HATTIE SMITHERMAN is very ill at 628 W. Chickasaw, where she is living under the care of a nurse, a MR. BLOCK, in the home of J. J. FAULKNER.

A. W. COMSTOCK visited HATTIE in the morning and reported that J. J. FAULKNER is persuading HATTIE to make no confession at this time, but to wait until she ~~she~~ secures her divorce from SMITHERMAN at Winfield, Kans. which should be granted inside of two weeks.

We all agreed, that is, MR. COMSTOCK, JOHN MORLIN and Agents, that the confession from HATTIE should be secured at earliest possible time, but seemingly it cannot be done as long as J. J. FAULKNER has her in his house, or is present.

FAULKNER and his wife are quarreling and separated, and each one is trying, apparently, to get the reward in the case, to the

exclusion of the other, and PAULKNER's scheme seems to probably be to go through some persons besides us, in order to cut his wife out.

PAULKNER went to El Reno in the evening, and Agent and MR. COMSTOCK called on HATTIE TOGETHER about 7:00 PM and stayed until 9. But PAULKNER had returned and was present. We visited and MR. COMSTOCK prepared HATTIE'S will at her request, which she signed in Agent's presence, etc. She is plainly very ill, and confined to her bed, but in full possession of her mental faculties.

Agent finally secured a few minutes alone with HATTIE and questioned her regarding her desire to make a statement or confession of what she knows regarding CRAB. WHITEHORN'S murder, but she quickly replied that she knows nothing of the facts, and was plainly determined to tell nothing at this time, so that the effort to get a confession from her had to be abandoned for the time being, but will be continued.

After this interview with her, A. W. COMSTOCK, who is her attorney, advised Agent, confidentially, that HATTIE told him, this morning that she will make a statement, but wants to wait till her divorce is secured; that she also stated that she does know the facts and has never told what she knows; that "they" sent her away at the time WHITEHORN was to be murdered, so that she was not present (By "they" HATTIE undoubtedly means MINNIE and ELLA SAVAGE and perhaps one or two others, like DENNY SUTTON and EVA LOCKLIN MINNIE SAVAGE'S sister).

It is our firm belief that HATTIE does know the facts of this murder, and in view of her physical condition it is highly important to use every means to secure a voluntary statement from her at the earliest possible moment, as she is confidentially reported to be hopelessly affected with tuberculosis and syphilis, and liable to die at any time.

Arranged with MR. COMSTOCK that, as her attorney, he will visit her lengthily Sunday, Dec. 23d and endeavor to persuade her,

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when FILLER is not present, to make her statement or confession to us. Remained in touch by telephone all day Sunday with FILLER. COOPER as to be on hand if called.

CONTINUED.

W.C.F.
62-5033 - 55

January 9, 1924.

JAN 11 1924

Hon. Charles H. Burke,
Commissioner of Indian Affairs,
Department of the Interior,
Washington, D. C.

My dear Sir:

Further with regard to the case of W. E. (Bill)
SMITH et al -- Murder of Osage Indians -- I am transmitting
herewith copy of a report dated December 26, 1923, made by
Agent Weiss of our Oklahoma City office.

Very truly yours,

Director.

Enc. 459

MAILED

JAN 11 1924

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REPORT MADE AT: Oklahoma City, Okla.	DATE WHEN MADE: Dec. 31, '23	PERIOD FOR WHICH MADE: Dec. 16 to 31, '23	REPORT MADE BY: J.R. Burger								
TITLE AND CHARACTER OF CASE: W.E. SMITH et als , Osage County Okla. Murders.											
FACTS DEVELOPED: At Oklahoma City, Okla.											
<p style="text-align: right;">K.C. 10675 Attention Mr. ^KKeep-4. O.C. 7060</p> <p style="text-align: center;">Continuing and referring to previous reports by E.F. WEISS, of Oklahoma City office.</p> <p style="text-align: center;">This Title.</p> <p>Pursuant to instructions from M. Eberstein, Special Agent in Charge, Kansas City, this Agent left Kansas City, Mo., at 4:30 P.M. Dec. 16th, for Pawhuska, Okla., to join Agent WEISS in the present investigation which is a Special Assignment.</p> <p>Joined Agent WEISS at Pawhuska, Dec. 17, at 8 A.M. and have been engaged in this investigation jointly with Mr. WEISS every day to this date, Dec. 31, 1923.</p> <p>As this investigation has been in progress for 5 months by Government Agents WEAKLEY and WEISS before this Agent began, and covers the murders of at least six people, at four different times and places, a very voluminous file had accrued. Agent also sees plainly that it would take a person some days of hard study to even begin to understand the ramifications of, and understand the pertinence of the evidence already secured. Agent WEISS has been working on the cases</p>											
REFERENCE:		<table border="1"> <tr> <td>FILE NO. 62-5033-56</td> <td>JAN 5 1924</td> </tr> <tr> <td colspan="2">BUREAU OF INVESTIGATION RECORDED & INDEXED</td> </tr> <tr> <td colspan="2">DEPARTMENT OF JUSTICE</td> </tr> <tr> <td>ROUTED TO:</td> <td>FILE</td> </tr> </table>		FILE NO. 62-5033-56	JAN 5 1924	BUREAU OF INVESTIGATION RECORDED & INDEXED		DEPARTMENT OF JUSTICE		ROUTED TO:	FILE
FILE NO. 62-5033-56	JAN 5 1924										
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DEPARTMENT OF JUSTICE											
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COPIES OF THIS REPORT FURNISHED TO: 3 Wash. 3 Okla. City. 2 K.C. File.											

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at different times, during the past three months, keeping up the reports. As no useful purpose could be served by separate reports in this case, by Mr. WEISS and this Agent, which would only mean unnecessary duplication and possible confusion, we have arranged that Agent WEISS and this Agent will make but one and joint report so long as we are working together, which report will cover the activities of both and the results, obtained, which report will be carried under Agent WEISS' name, as in the past but will show to be the joint report of both of us.

Agent refers to report by Agent T.F. WEISS, this title, dated Dec. 26, 1923 covering from Dec. 1 to 24, inclusive, said report from Dec. 17 to Dec. 22, inclusive, covers this Agent's investigations, also.

Report by Agent T.F. WEISS, dated Dec. 31, this title, is also a joint report, and covers the results of our joint work during said period. Copies of all reports will be furnished both Oklahoma City and Kansas City so long as this Agent is on the case.

This Agent finds that the main facts of the murder of ANNA BROWN had been pretty well ascertained by Agent WEISS' investigation, altho a number of important state witnesses are yet to be located and interviewed. That very little has been secured re W.E. SMITH and HENRY ROAN Murder's, the some very definite evidence re HENRY ROAN has been secured, but is being denied by the persons having same.

That the CHARLES WHITEHORN case seems to have now reached a stage of securing a confession from his wife and that the

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guilty persons have been partially determined.

Agent WEISS has been concentrating on the ANNA BROWN murder, but working on the others incidentally, but continually with good results, to date.

Agent also desires to state here that these cases are going to be very difficult for the reason that some of the murders are over 2½ years old, none less than 9 months, private detectives State detectives, volunteer detectives, have all been working on the cases, until many people are disgusted and unwilling to talk. The citizenship of Osage County is also very low, in general, and composed of many transient "pollickers" oil workers, poor whites, etc; and the Indians, in general, are lazy, pathetic, cowardly, dissipated and unfriendly towards any one that asks them to talk or assist in this case. The "better class" of white people are mainly engaged in grafting the Indians, etc. as far as possible, so as to make a pile.

There is also a general element of fear and indifference that pervades the minds of many, so that it is almost impossible to get any one to make a willing, frank, and full statement of any value in these cases. However there are a few as fine men and women in Osage County as may be found anywhere, but they are mighty few.

This Agent and Agent WEISS both find that in view of the above indicated facts, and others, not mentioned, this case or rather cases, to be extremely difficult, slow and unpleasant to work, but believe that we will eventually be successful in at least

two, if not more of them. A lot of time is used in finding persons to be interviewed, as many have moved away to places unknown, many have moved to other points, many are away on visits, etc. and outside of professional men, no one makes any effort to keep appointments with Agents, so that often several drives have to be made before the party sought can be caught at home etc. In the course of a short time we hope to gain peoples confidence, that has been lost because nothing has ever been accomplished by previous investigators, or investigations.

CONTINUED

JRB-m

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ATTENTION - MR. HOOVER - 2.

THIS CASE ORIGINATED AT Director;

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Oklahoma City	DATE WHEN MADE: Jan. 2, 24	PERIOD FOR WHICH MADE: Dec. 23 to 31	REPORT MADE BY: T. F. Weiss.
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TITLE AND CHARACTER OF CASE:
 W. E. SMITH, et als. Osage County, Okla. : Murdered Osage Indians.

FACTS DEVELOPED:
 At Oklahoma City, Okla. (O. C. #7080.)

Continuing, and referring to previous reports, entitled as above.

On Dec. 17th Agent J. R. Burger, of the Kansas City office, joined this Agent at Pawhuska, and has since been engaged jointly with this Agent on this investigation. This Agent's report, dated Dec. 6th, is a joint report for both Mr. Burger and this Agent, from Dec. 17th on. This, and future reports, while written by this Agent, are to be considered joint reports for Agent Burger and this Agent, also, and made to avoid unnecessary duplication and possible confusion. Copies of such joint reports will be furnished to the Kansas City office as well as to Oklahoma City.

RE: ANNA BROWN MURDER:

Dec. 26th Agents interviewed ED SCHENCKS, Sr., at 1608 S. Waco, Wichita, Kans. MR. SCHENCKS talked freely, as did his wife, but they both declared they had no definite information

DO NOT WRITE IN THESE SPACES

re. the ANNA BROWN, HENRY ROAN, or W. E. SMITH murders; that they are convinced that the HALE-BURKHART men are responsible for same, but have no

FILE NO. 62-3033-37
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
ROUTED TO: FILE

REFERENCE: COPIES OF THIS REPORT FURNISHED TO:
 2 3 Washington; 3 file; 2 Kansas City. -1-

1-16-24 345

proof; that they, the SCHEENCKS, lived in that section of the country for thirty-five years, and until recently;

That one ELLA HALLETT, now waid to be at Shidler, Okla., worked for BILL SMITH at or about the time of the ANNA BROWN murder, and afterward, and that ELLA HALLETT had stated that BILL HALE was afraid of BILL SMITH and avoided SMITH after the ANNA BROWN murder, and would not meet SMITH in the road, etc.; that ELLA HALLETT also probably had heard MR. SMITH before his death, tell what he had learned about the ANNA BROWN murder, and that Agents should by all means see ELLA HALLETT, and her mother, ANNA HALLETT, the mother living now at Redfork, Okla. ED SCHEENCKS, Sr. denied that he had ever stated to anyone that he had any evidence to give a grand jury in any of these cases, and declared that he wished he did have some information or evidence to give, etc. We interviewed MR. and MRS. SCHEENCKS fully, but the above was all they had to say of interest.

Dec. 28th we interviewed MRS. ANNA HALLETT at Redfork, Okla. She stated that she has not heard from her daughter, ELLA, for two months; that ELLA was then employed in a hotel run by a man named "GEORGE" at Shidler; that SETH LEWIS of Burbank can probably tell where ELLA is if he has left Shidler.

MRS. ANNA HALLETT stated that her daughter, ELLA, had gone to work for ERNEST BURKHART and LIZZIE Q at Grayhorse a few days before ANNA BROWN'S body was found, and that ELLA was working at ERNEST BURKHART'S at the time the body was found, and for some time afterward; that ELLA began working for ERNEST BURKHART just after MARTHA UPRIGHT (DOTY) left them; that ELLA was subpoenaed to Pawhuska as a witness in the case but knew nothing. (None of said witnesses was called to testify at Pawhuska.)

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MRS. ANNA HALLETT stated further that ELLA was at the ERNEST BURKHART home at Grayhorse, Saturday, May 21, 1921 and talked to ANNA BROWN at the time and place; that ANNA BROWN was then sitting in the summer-house at ERNEST BURKHART'S home, drinking heavily; that ANNA BROWN employed ELLA HALLETT at that time to begin work as housekeeper for ANNA at Fairfax, and ELLA was to start to work for ANNA BROWN at Fairfax the following, or second following morning. MRS. HALLETT stated that she does not remember what time of day her daughter ELLA talked to ANNA BROWN that day, nor whether anyone else was there at the time, except ANNA'S mother, LIZZIE Q. (MRS. HALLETT was plainly not at all interested in giving us information, though apparently not friendly to the BURKHARTS or the HALES. She was questioned exhaustively, but the above was all we could get her to tell. ELLA HALLETT will be interviewed.)

WILLIAM BRACKETT informed us that he talked to ELLA HALLETT in 1921, regarding this case, but that all she told him of value was that she said she had heard that two Indian women had seen ANNA BROWN and BRYAN BURKHART together in a Buick car that Saturday night; that ELLA was then working for BILL SMITH and wife (She should know all about J. L. BRIDGES family at ~~Gray~~ Grayhorse and Fairfax.)

Dec. 18th wrote J. A. GUSTAFSON again for his reports, and on Dec. 24th and 25th Agent Burger made efforts to secure same from MRS. GUSTAFSON at Kansas City, without success. Dec. 30th received a so-called "summary report" re. ANNA BROWN and CHARLES WHITEHORN from MR. GUSTAFSON, but said reports are very brief, and contain nothing not heretofore ascertained and reported by Agents. We now have [REDACTED] working under cover on this case, without pay.

67D 249

RE: HENRY ROAN MURDER:

Dec. 27th. Agents interviewed ROY BUNCH, County Jail, Enid, Okla. ROY BUNCH talked freely and stated that he is serving a six-months Federal sentence on a whiskey conviction; that he has another such sentence and conviction, pending on appeal, and that his wife has also a similar conviction and sentence on appeal. (It will be recalled that the present MRS. ROY BUNCH was the wife of HENRY ROAN at the time ROAN was killed, and that she married ROY BUNCH a few days or weeks after her husband was murdered

ROY BUNCH stated to us that he had never told BILL BRYANT or anyone else that he, BUNCH, knew witnesses who saw BOB PARKER and SAM TULK following HENRY ROAN the day ROAN disappeared and near the spot where ROAN'S body and car were afterward found; that what he did hear and state was that some persons at Burbank, Okla. had seen SAM TULK and BOB PARKER chasing HENRY ROAN out of Burbank some time before ROAN'S body was found. BUNCH stated that he had never learned whether this occasion was one week or two or three weeks before ROAN was found dead, and that he did not remember the names of the persons at Burbank who had told him this, but that he could find them, as they lived at Burbank. (This report is an old one, regarding SAM TULK and BOB PARKER, and Agt. C. S. Weakley informed Agt. Weiss that he, Weakley, had investigated, and had determined that it was several weeks before ROAN disappeared that TULK and PARKER had chased ROAN at Burbank. This disposes of this.)

ROY BUNCH stated further to Agents that since he, BUNCH, has been put in jail on his present sentence, his wife, MARY ROAN BUNCH has told him that W. K. HALE has been trying to visit her; has left some stuff smelling and looking like whiskey in a bottle at her

24/8

house for her to drink, and has tried to get her to sign papers acknowledging claims by HALE against the ROAN estate; BUNCE states that his wife is afraid of HALE, and did not drink the so-called whiskey. (She still lives at Fairfax and will be interviewed.)

Dec. 26th we interviewed ED SCHEENCES, Sr. at Wichita, Kans., who declared he had no knowledge or information as to the guilty persons in this case.

Dec. 28th we interviewed MRS. ANNA HALLETT, Redfork, Okla., who also declared she had no knowledge or information in this particular case. Both expressed themselves as believing the HALE-BURKEARTS guilty of at least causing the murders of ANNA BROWN, HENRY ROAN and the SMITHS.

3219

CHARLES WHITEHORN MURDER:

Dec. 24th at Okla. City, MRS. J. J. FAULKNER called on Agent and had a long interview. She declared that her husband is trying to get control of HATTIE WHITEHORN SMITHERMAN'S minor child, and the property of HATTIE and said child; that FAULKNER is refusing to allow HATTIE to be sent to a hospital, or moved from his home, in order to keep her under his influence and control, and keep her from making any confession or statement until he tells her when and to whom and what to confess or state; that she, MRS. FAULKNER, and he have agreed to separate; that he is a dirty, wicked crook, and she, MRS. FAULKNER, believes has been guilty of immoral relations with HATTIE'S thirteen-year old daughter, though the daughter has not said so openly; that HATTIE will almost surely refuse to make a statement or confession while under FAULKNER'S influence. In response to a direct question by Agent, MRS. FAULKNER stated that HATTIE had never made a statement or confession, in any degree, to her, and had not made any to J. J. FAULKNER, or anyone else, so far as she knew, but that she, MRS. FAULKNER, is convinced that HATTIE knows, and was implicated in CHARLES WHITEHORN'S murder, and may have confessed partly to FAULKNER; that FAULKNER and C. O. BREER, of El Reno, are working together to get the reward in this case.

Dec. 30th A. W. COMSTOCK informed us that he had just returned from Okla. City, where HATTIE had been taken to Rolater's Hospital, that her two sisters, MRS. CHAS. COUTEAU and MRS. MCKINLEY were present, and will move her to her own home, at 624 W. Chickasaw, Okla. City, where they will take care of her, and get her from the influence and control of FAULKNER; that FAULKNER was objecting to

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this, and threatening to cause HATTIE trouble; that FAULKNER ~~was~~ ~~also~~ declared he had not told all he knew about this case, and HATTIE'S sister replied that he had been blackmailing HATTIE, and defied FAULKNER to tell anything he knew against HATTIE, etc. HATTIE'S sisters have promised MR. COMSTOCK to try to learn from HATTIE the real facts, and induce her to confess, or tell all she does know. DR. BUCHANAN is HATTIE'S present doctor. (It will probably be well to try again to get a statement from HATTIE while FAULKNER is threatening her, and she is away from his influence.)

That MRS. MCKINLEY and MRS. CHOUTEAU also state that J. J. FAULKNER has been asking HATTIE to marry him, evidently to get control of her property and child; that MRS. J. J. FAULKNER is said to have gone to California.

Dec. 31st. Interviewed N. C. HARGIS, attorney, who was attorney for EARL SAVAGE in 1921, when SAVAGE was arrested as a suspect in this case. MR. HARGIS had told JOHN GUSTAFSON that he, HARGIS believed EARL SAVAGE had had DEWEY SUTTON come from Oklahoma City to Pawhuska and kill WHITEHORN.

N. C. HARGIS today stated to Agents that he suspects the above to be the truth and that HATTIE WHITEHORN, EARL SAVAGE, MINNIE SAVAGE and LEROY SMITHERMAN were all in on the plan beforehand and that BRYAN GRIFFIN, now living with MINNIE SAVAGE at Pawhuska knows the facts, but will not tell.

MR. HARGIS was not inclined to give further information at this time, and will be interviewed later. He has no confidence in the present or preceding County Attorneys and stated that the preceding County Attorney had dismissed 211 out of 213 criminal cases, and that the present County Attorney, according to the

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District Judge, intends to dismiss forty-eight out of the fifty-two cases now on the criminal docket at Pawhuska; that the present County Attorney is reported to be in W. H. HALE'S power, and friendly to him; that he, HARGIS, is going to have a Grand Jury called, but is waiting on the confidential information that GEORGE SHORT, State Attorney General, is under investigation and will resign shortly.

OPEN.

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12-5033-57

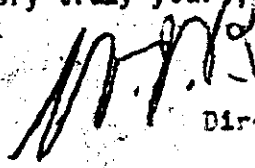
January 16, 1924.

Hon. Charles H. Burke,
Commissioner of Indian Affairs,
Department of the Interior,
Washington, D. C.

My dear Mr. Burke:

Further with regard to the case of W. F. SMITH
et al — Murdered Osage Indians — I am transmitting here-
with copy of a report dated January 2, 1924, made by Agent
Weiss of our Oklahoma City office.

Very truly yours,



Director.

Enc. 4589

RECORDED & INDEXED

MAILED
JAN 16 1924

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THIS CASE ORIGINATED AT

OKLAHOMA CITY

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: DALLAS, TEX.	DATE WHEN MADE: 12-16-28	PERIOD FOR WHICH MADE: 12-7-8-28	REPORT MADE BY: H. L. BIRCH
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TITLE AND CHARACTER OF CASE

W. L. SMITH ET AL

(MURDER)

FACTS DEVELOPED:

AT WICHITA FALLS, and BURKSHURNETT, TEX.

With reference to letter from Agent in Charge J. C. Findlay, dated Oklahoma City, Dec. 4th, 1928, entitled "W. L. SMITH ET AL - Murder."

Agent has made inquiries at Wichita Falls and Burkshurnett, Texas, concerning the whereabouts of Mr. and Mrs. Paul Johns, and Agent is unable to find any record of Mr. and Mrs. Johns at either place, through Post Offices, etc. At Wichita Falls Agent learned that one Edwin Johns was selling pecans on a vacant lot adjoining the Post Office lot and Agent had an Internal Revenue Agent make inquiries of Edwin Johns regarding Mr. and Mrs. Paul Johns, and it was learned from him that his father - Bill Johns, lives at Breckenridge, Texas, but he states he knows no persons in Texas named Paul Johns.

Agent proceeded to Burkshurnett and Postmaster there states he has no record or recollection of any person named Mr. and Mrs. Paul Johns having received mail at that office. Agent conferred with Police and State officers at Burkshurnett, who state they have no recollection of Mr. and Mrs. Paul Johns.

62-5033-58 JAN 10 1929

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FILE NO. 62-9378-1

BUREAU OF INVESTIGATION
DEC 26 1928
DEPARTMENT OF JUSTICE

ROUTED TO: FILE

REFERENCE: COPIES OF THIS REPORT FURNISHED TO:

Handwritten number 354

U.S. DEPARTMENT OF JUSTICE

PAUL JOHN.

It will visit Alexandria, N. C., at an early date when it will be determined whether PAUL JOHN is known at that place.

INVESTIGATION, BUREAU OF INVESTIGATION.

It is noted that no information is known to Postmaster or to any official.

PAUL.

2,55

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ATTENTION - MR. HOOVER - 2.

THIS CASE ORIGINATED AT Director.

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Oklahoma City	DATE WHEN MADE: Jan. 9, 24	PERIOD FOR WHICH MADE: Jan. 5, 1924	REPORT MADE BY: D. E. Wertz.
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TITLE AND CHARACTER OF CASE: W. E. (BILL) SMITH, et als.		Osage county, Oklahoma	: Murdered Osage Indians.
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FACTS DEVELOPED:
At Oklahoma City, Okla. 62-5033 (O. C. #7060)

Continuing investigation,
entitled
as
above,

after conference with Agent in Charge Findlay, Agent called at the Rolater Hospital, 325 E. 4th St., and interviewed MRS. GREEN, a nurse at this hospital, who attends MRS. SMITHERMAN.

MRS. GREEN stated that she found J. J. FAULKNER in her patient's room on Thursday and Friday, Jan. 3d and 4th, he having gone there while she was engaged elsewhere in the hospital. FAULKNER is aware that those in charge of the Hospital do not want him to visit MRS. SMITHERMAN, so he enters the hospital and goes directly to her room without asking leave or talking to anyone.

MRS. GREEN said that she had purposely remained in the room each time in order to hasten FAULKNER'S departure and to embarrass him in his effort to coerce MRS. SMITHERMAN and that there was no doubt that FAULKNER did exert an almost hypnotic influence

over this woman. He begged her to leave the hospital and return to his home and the patient would agree and several times made arrangements to do

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FILE NO. 62-5033-57	JAN 28 1924
BUREAU OF INVESTIGATION	REFERENCE
JAN 11 1924	1924
DEPARTMENT OF JUSTICE	DIVISION
ROUTED TO: HOOVER	FILE LWT

REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington; 3 file.
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Comm. Indian Affairs 1-25-24

until attended by the Doctor and her sister remain.

On Jan. 23 FAULKNER gave MRS. SMITHERMAN a check for \$200.00, being part of the \$600.00 she had given him about Dec. 24th, while under the influence of drugs. At his instance, she applied for a divorce from her husband, recently.

However, MR. and MRS. CHAS. CHOTEAU, the latter a sister of MRS. SMITHERMAN, recently arrived from California and stated to MRS. SMITHERMAN that they had seen SMITHERMAN at Tia Juana, Mexico and San Diego, Calif. and that he was sorry for having left her. Upon learning this, MRS. SMITHERMAN had the nurse write a letter to the Chief of Police at San Diego Jan. 4th to get in touch with SMITHERMAN and tell him she would dismiss her divorce proceeding and take him back if he would return to her.

DR. HUDDLE and associates at the hospital determined Saturday that MRS. SMITHERMAN had an obstruction in her intestines and that she should undergo an operation, to which the patient willingly assented.

MR. and MRS. CHOTEAU at their home stated that FAULKNER had moved to El Reno Jan. 5th after he had been unsuccessful in getting MRS. SMITHERMAN to return from the hospital to his home. The phone number of Mr. and MRS. CHOTEAU is Walnut 6 7 0 8.

The Okla. City newspapers state that FAULKNER and wife were divorced in Okla. county court during the week of Dec. 24, 1923. They had been living together until Dec. 24, 1923.

MR. and MRS. CHOTEAU also stated that after FAULKNER visited MRS. SMITHERMAN they could do nothing with her, that she seemed to be completely dominated by him. They are very anxious to have him put out of her way, and are willing to aid in bringing SMITHERMAN back to her.

CONTINUED.

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